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...Canada Secretary of State, Dept. of the

[No. 219]

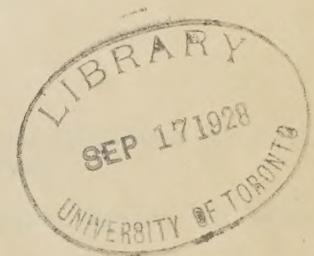
## RETURN

**to an Address of the House of Commons, dated  
March 12, 1928, showing**

A copy of all correspondence, letters, telegrams or other documents which have passed between the Government of the province of British Columbia and the Federal Government, or between any Ministers, Deputy Ministers or other officials of the said Governments, respectively, since the 8th day of May, 1922, in reference to Oriental Immigration or in reference to curtailing activities of Orientals already in Canada.

FERNAND RINFRET,  
*Secretary of State.*

Mover: Mr. McQuarrie.



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## VERGIL

Douglas Garrison's Le Gallia, ab. 10 vellum, ms. no.  
12605. STC 17000.

Le Gallia, ab. 10 vellum, ms. no. 12605. STC 17000. A  
copy of the Latin translation of the Gallic War by the Roman  
poet Virgil. The manuscript is written in a clear Gothic script  
in two columns per page. The title "VERGIL" is at the top  
of the first page. The text is in Latin, and the title of the work  
is "LE GALLIA". The manuscript is bound in a simple  
leather cover.

MS. 12605. STC 17000.

MS. 12605. STC 17000.

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, April 14, 1928.

SIR,—In reply to your reference No. 89, dated 12-13 March, 1928, order of the House of Commons, mover Mr. McQuarrie, asking for a copy of all correspondence, letters, telegrams or other documents which have passed between the Government of the province of British Columbia and the Federal Government, or between any Ministers, Deputy Ministers or other officials of the said Governments, respectively since the 8th day of May, 1922, in reference to Oriental Immigration, etc., I have the honour to enclose copy of correspondence in the Department of External Affairs on this subject.

O. D. SKELTON,  
*Under-Secretary of State for External Affairs.*

The Under-Secretary of State of Canada,  
Ottawa.

*From the Secretary of State of Canada to the Under-Secretary of State for External Affairs, Ottawa*

OTTAWA, January 17, 1928.

DEAR SIR,—I am sending you enclosed a letter I have received from Hon. Alexander Malcolm Manson, K.C., Attorney-General for the province of British Columbia, regarding the status of a British subject in Japan.

Would you please communicate directly with Hon. Manson whom I am advising of the transfer of his letter to your department?

(Signed) FERNAND RINFRET,  
*Secretary of State..*

Dr. O. D. SKELTON,  
Under-Secretary of State for External Affairs,  
Ottawa, Ont.

*From the Attorney General of the Province of British Columbia to the Secretary of State of Canada, Ottawa*

VICTORIA, January 11, 1928.

Hon. FERNAND RINFRET,  
Secretary of State,  
Ottawa.

DEAR MR. RINFRET,—In the discussion of the Oriental problem in this Province from time to time statements are made that the status of citizens of other countries in Japan is very limited. It has been stated that a British subject in Japan (a) may not engage in labour of basic industries; (b) cannot own

shares in national industry, bank, shipping company or railway; (c) is denied the benefits of the Ocean Navigation Encouragement law; (d) cannot appeal to parliament; (e) cannot be a member of a Board of Trade; (f) cannot have more than a very limited ownership in lands, ships or Japanese companies. It is further stated that the land law of Japan is so administered as to practically prohibit the ownership by a non-Japanese of land. Also it is stated that there is a very heavy luxury tax, which is directly aimed at non-Japanese residents in that country, which results in driving them out.

I feel that in any discussion of this very important subject, the position of our nationals in Japan, should be stated with every exactitude, and I would ask therefore that you as Secretary of State, or, if it be more appropriate, the Honourable the Minister of External Affairs, advise me officially as to the exact status of a British subject in Japan. I would like if possible to have this information at an early date, as I am desirous of laying the official information in this connection before our Legislature.

Some of the Judges of this Province have in the case of applications of Japanese subjects for naturalization refused to recommend such applications. This attitude on the part of these Judges has the approval of the Government of this Province and for the reasons, inter alia, stated by this Province at the recent Dominion-Provincial Conference, I understood from you that your Department was not favourably considering the applications of Japanese for naturalization and had not been doing so for some time. I would like to have an official statement on this point.

It has been stated, and I am inclined to think correctly, that Japanese are still surreptitiously coming into this Province, in particular I have been advised that they come into the Province at out-of-the-way points on the coastline from small Japanese vessels coming to our coast. You will understand the difficulty of detecting any such silent invasion. It is extremely hard for the white man to distinguish one Japanese from another. There is to the white man a very great similarity in their individual appearance.

I have good reason for belief that there has been a traffic among Japanese in naturalization certificates; in fact, it is openly stated that a Japanese who has been naturalized in this country never dies. What is meant is that his certificate is simply handed on, and it is well-nigh impossible under the present system to detect the illicit use of such certificates. I have long been of the opinion that your Department should give serious consideration to a new system in the issuing of naturalization certificates. I cannot see why any applicant for citizenship in our country should refuse, for instance, to attach his finger print to a copy of the naturalization certificate to be filed with your Department at Ottawa and to the original certificate to be delivered to him. It would be necessary that the finger-print should be attached to a filed copy, as otherwise the print on the copy given to the person naturalized could be blurred or smudged so as to render it difficult to use it for identification purposes. I am of the opinion too that no applicant for naturalization in this Province should object to the attaching of the photograph of himself in a non-detachable way to the original certificate and to the copy on file with your Department. It is true that finger-prints and photographs are frequently thought of together in connection with police identification work, but in so important a matter as the naturalization of an alien why should the adopting country hesitate for a moment to take the most careful precautions to ensure that the privileges which it is extending will not be violated? Mere sensitiveness is not a sufficient excuse for the adopting country to open the door to fraud. Not alone that, but the safeguards I have suggested are obviously in the interest of the new naturalized persons. In what I have said in this connection I would like it clearly

understood that I am not derogating from the position of this Province with respect to the naturalization of Japanese. The safeguards that I urge should in my opinion be made applicable in every case of naturalization.

Awaiting your reply, I am,

Yours very truly,

(Signed) A. M. MANSON.

P.S.—It is frequently asserted that Japanese who are naturalized in this country have dual nationality and that they still owe a primary allegiance to the Emperor of Japan. Can your Department advise as to whether or not this statement is accurate? It may be that Japan as a nation claims the right to forbid relinquishment of allegiance on the part of its subjects. If this be true we have the very best of reasons for refusing to accept Japanese subjects as naturalized subjects of our country.

*From the Under-Secretary of State for External Affairs to the Attorney General  
of the Province of British Columbia*

OTTAWA, February 17, 1928.

DEAR SIR,—The Secretary of State has referred to the Department of External Affairs your recent inquiry as to the status of citizens of other countries in Japan.

Your letter raises the following points:—

"It has been stated that a British subject in Japan (a) may not engage in labour of basic industries; (b) cannot own shares in national industry, bank, shipping company or railway; (c) is denied the benefits of the Ocean Navigation Encouragement Law; (d) cannot appeal to parliament; (e) cannot be a member of a Board of Trade; (f) cannot have more than a very limited ownership in lands, ships or Japanese companies. It is further stated that the land law of Japan is so administered as to practically prohibit the ownership by a non-Japanese of land. Also it is stated that there is a very heavy luxury tax, which is directly aimed at non-Japanese residents in that country, which results in driving them out."

I shall endeavour to reply to these various inquiries in accordance with the latest official information in our possession.

(a) *Restrictions on Engaging in Labour of Basic Industries.*

Imperial Ordinance No. 352 of July 28, 1899, provided that all aliens regardless of the fact that some of them were not entitled by treaty or customary practice to freedom of residence in Japan, may reside, move or pursue their callings in any place outside the former foreign settlements or the "mixed residence" areas, provided that alien labourers coming from countries having no commercial treaty with Japan, or not entitled by customary practice to do so, may not pursue their callings outside the limits of the former foreign settlements or the "mixed residence" areas without the permission of the administrative authorities.

The qualification in the latter part of this Ordinance does not apply, it will be noted, to countries having commercial treaties with Japan. The Consul-General of Japan informed the Canadian Government in 1922 that Canadian citizens are entitled to engage in business in any place within Japanese territory, in common with the nationals of the most-favoured-nation.

(b) *Ownership of Shares.*

Foreigners may not become shareholders of the Bank of Japan, the Yokohama Specie Bank, the Bank of Korea, the South Manchuria Railway Company, the Oriental Development Company or of shipping companies in receipt of a government subsidy.

(c) *Subsidy Privileges.*

Ships owned by foreigners are not entitled to receive subsidies under the Law for the Encouragement of Navigation.

(d) *Appeal to Parliament.*

I am not clear as to the meaning of this inquiry. It is not customary for foreigners in any country to appeal direct to the Parliament of that country. Foreigners in Japan may make representations to the Japanese Government through the Minister or Consul representing their country.

(e) *Membership on Board of Trade.*

Foreigners may not as individuals become members of Japanese Chambers of Commerce.

(f) *Ownership of Land, Ships, or Companies.*

Prior to the enactment of the Alien Land Law of 1925, foreigners could not, as individuals, own land in Japan. They could, however, acquire the following rights in land upon the same basis as Japanese:—

1. *Superficies* a right "in rem" by virtue of which land belonging to another person may be used for the purpose of owning thereon structures, trees, or bamboos. The law contains no limitation upon the period of time for which the right may be created.
2. *Emphyteusis*—a right "in rem" to carry on agricultural or stock farming on the land of another person. The period of time to be fixed by the parties concerned at not less than twenty or more than fifty years.
3. *Lease in perpetuity*—a lease without duration, originally granted to foreigners within the foreign settlements for a nominal consideration paid to the Japanese Government. Although the Foreign Settlements were abolished in 1898, the perpetual leasehold survives.
4. *Leasehold*—a right "in personam," effective only as between the parties concerned. When registered, however, it can be set up against third persons as to the effect of such registration. The duration period is fixed at twenty years, renewable for a further twenty years.

Moreover, foreigners could own land in Japan if they formed a company and became "juridical persons" under Japanese law.

The Japanese Alien Land Law of 1925, which came into force November 10, 1926, extends the right of alien ownership of land to citizens (either as individuals or as majority partners, shareholders, etc., of foreign "juridical" persons), of those foreign countries that recognize "mutatis mutandis" similar right of Japanese subjects. Articles 1 and 3 of the law provide that the acquiring of land by foreigners belonging to such countries, or part of countries, as prohibit or restrict Japanese subjects from owning land may be prohibited or restricted reciprocally by Imperial Ordinance.

The Consul-General of Japan at Ottawa informed the Canadian Government on December 14, 1926, that "the Japanese Government has no intention of applying such discriminatory treatment to the above-mentioned foreigners (i.e. those from countries which prohibit or restrict Japanese subjects from owning land) for the time being. . . . Consequently any foreigner shall be entitled to acquire rights pertaining to land in Japan equally with native subjects."

The law further provides that foreigners cannot own land or acquire superficies or emphyteusis in certain districts of strategic importance without permission of the Ministers of the Army and Navy.

Foreigners cannot become owners of ships flying the Japanese national flag. They may, however, acquire an interest in (1) limited partnerships, (2) joint-stock limited partnerships, and (3) joint-stock limited companies owning Japanese ships. In the first two cases they cannot become partners with unlimited liability, and in the third case they cannot become directors.

We have no information indicating that the Land Law of Japan is so administered as practically to prohibit ownership of land by foreigners.

(g) *Luxury Tax.*

A uniform duty of 100 per cent ad valorem, popularly known as a "luxury tax," was promulgated July 31, 1924, and made applicable to a long list of imported articles in place of the ordinary import duty. As amended by the Law of April 1, 1925, the "luxury" tariff applies to 119 items or parts of items out of the 547 items in the import customs tariff schedule of Japan. The Customs Tariff applied to all imports of the classes specified whether for the use of foreigners or of Japanese subjects. These special duties were stated to be imposed for the purpose of checking the importation of articles of luxury, in view of the even balance between exports and imports and the exchange situation. As in most cases articles of the same class made in Japan are available, protectionist motives doubtless played a part. The tariff was originally introduced as a temporary measure to remain in force pending a thorough revision of the import tariff, but in view, it was stated, of the continued situation as to the balance of trade, it was retained in force. There is no information available to indicate that this tax has had the result of driving foreigners out of the country, though it has doubtless fallen with greater weight on foreigners, for whom many of the luxuries in question are articles of common use.

I note also your inquiry as to whether it is correct that Japanese who are naturalized in this country have dual nationality and still owe allegiance to the Emperor of Japan.

It is true that until a few years ago Japan did not recognize the right of Japanese subjects abroad to expatriate themselves by naturalization. The same position, you will recall, was taken by Great Britain down to 1870, and is still maintained by certain other States. In 1916, however, the Law of Nationality was revised, recognizing the right of expatriation. Section (1) of Article 20 of the Japanese Law of Nationality as amended in 1924 is as follows:—

"A person who has acquired foreign nationality by his own wish loses Japanese nationality."

Yours sincerely,

O. D. SKELTON,  
*Under-Secretary of State for External Affairs.*

The Hon. A. M. MANSON,  
Attorney-General of the Province of British Columbia,  
Victoria, B.C.

## CORRESPONDENCE, ETC. RELATING TO

*From the Under-Secretary of State for External Affairs, Ottawa, to the Private Secretary to the Prime Minister of the Province of British Columbia.*

OTTAWA, March 25, 1927.

DEAR SIR,—I should be much obliged if you could let us have, for the use of Government Departments, six copies of the *Report on Oriental Activities within the Province*, prepared for the Legislative Assembly of British Columbia.

(Sd.) O. D. SKELTON,  
*Under-Secretary of State for External Affairs.*

The Private Secretary to Hon. JOHN OLIVER,  
Prime Minister, Province of British Columbia,  
Victoria, British Columbia.

*From the Private Secretary to the Prime Minister of the Province of British Columbia to the Under-Secretary of State for External Affairs, Ottawa*

VICTORIA, March 31, 1927.

The Under-Secretary of State for External Affairs,  
Ottawa, Ont.

DEAR SIR,—In response to the request contained in your letter of March 25, I am forwarding to you under separate cover six copies of *Report on Oriental Activities Within the Province*.

(Sd.) J. MORTON,  
*Private Secretary.*

*From the Under-Secretary of State for External Affairs, Ottawa, to Private Secretary to the Prime Minister of the Province of British Columbia*

OTTAWA, April 8, 1927.

DEAR SIR,—I wish to acknowledge your courtesy in sending, in response to my recent request, six copies of the *Report on Oriental Activities within the Province*.

Yours sincerely,

(Sgd.) O. D. SKELTON,  
*Under-Secretary of State for External Affairs.*

J. MORTON, Esquire,  
Private Secretary to the Prime Minister of the Province of British Columbia,  
Victoria, British Columbia.

OTTAWA, April 5, 1928.

*Answer of the Department of Labour*

(Return attached hereto.)

H. H. WARD,  
*Deputy Minister of Labour.*

The Under-Secretary of State,  
Department of the Secretary of State,  
Ottawa.

*(Canadian National Night Letter)*

VICTORIA, B.C., August 30, 1922.

Hon. J. MURDOCK,  
Minister of Labour,  
Ottawa, Ont.

Federal Government recently let contract to Chan Kent, Victoria, Chinese tailor, for suits Government employees Williamhead. Surely this done under misapprehension. Would appreciate your investigation and action. Oriental problem acute.

ALEX. M. MANSON.

*(Canadian National Telegram)*

OTTAWA, August 31, 1922.

ALEX. M. MANSON, Esq.,  
Minister of Labour,  
Victoria, B.C.

Night lettergram received. Will bring matter you refer to before Council tomorrow and shall press for prompt action to correct situation referred to.

JAMES MURDOCK,  
*Minister of Labour.*

*For copy of correspondence in reference to Oriental Immigration.*

Return of the Department of the Secretary of State attached hereto.

THOMAS MULVEY,  
*Under-Secretary of State.*

OTTAWA, March 19, 1928.

## OFFICE OF THE DEPUTY MINISTER OF IMMIGRATION AND COLONIZATION

December 13, 1922.

DEAR SIR,—I have the honour to acknowledge receipt of your letter of the 4th instant, No. 2948 enclosing copy of resolution passed on the 20th ultimo by the British Columbia Legislature, calling for an amendment to the Immigration Act with a view to the entire prohibition of all Asiatic immigration. This has been duly noted and will receive attention.

(Sgd.) W. J. BLACK,  
*Deputy Minister.*

P. PELLETIER, Esq.,  
Acting Under-Secretary of State,  
Ottawa.

OTTAWA, December 4, 1922.

SIR,—I have the honour to enclose to you, herewith, a copy of a resolution passed on the 20th ultimo by the British Columbia Legislature with reference to the total prohibition of Asiatic Immigration into Canada with a copy of the Administrator's despatch forwarding same. In acknowledging the communication this Department has stated that the matter would receive due consideration.

(Sgd.) P. PELLETIER,  
*Acting Under-Secretary of State.*

The Deputy Minister of Immigration and Colonization,  
Ottawa.

OTTAWA, December 4, 1922.

SIR,—I have the honour to acknowledge receipt of your despatch of the 28th ultimo forwarding a copy of a resolution unanimously passed on the 20th ultimo by the British Columbia Legislature with reference to the prohibition of Asiatic Immigration into Canada, and I am to inform you that the matter will receive due consideration.

(Sgd.) P. PELLETIER,  
*Acting Under-Secretary of State.*

The Administrator of the Government of the Province of British Columbia.  
Victoria, B.C.

AT GOVERNMENT HOUSE,  
VICTORIA, B.C., November 28, 1922.

SIR.—I have the honour to forward you, herewith, copy of a Resolution passed unanimously by the British Columbia Legislature on the 20th instant, with reference to the total prohibition of Asiatic Immigration into Canada.

(Sgd.) J. A. MACDONALD,  
*Administrator.*

The Honourable the Secretary of State,  
Ottawa

Hon. F. A. PAULINE,  
Speaker, British Columbia Legislative Assembly.

DEAR SIR.—The following resolution was passed unanimously by the British Columbia Legislature on Monday, November 20, 1922:—

“Whereas the ‘Immigration Act’ of Canada and regulations thereunder have failed to stem the tide of Asiatic immigration into Canada;

“And Whereas the industrial and economic life of Canada, and particularly of the Province of British Columbia, is threatened by competition forced by a growing foreign population with a lower standard of living than that necessary for the well-being of Anglo-Saxon civilization;

“And Whereas there is a strong and compelling sentiment developing in Canada, especially marked in the Province of British Columbia, at present most affected, that effective protective measures must be adopted;

“Therefore be it Resolved, that this Legislative Assembly places itself on record as being in favour of the enactment of such amendment to the ‘Immigration Act’ of Canada, as is necessary to completely prohibit Asiatic Immigration into Canada.

“And be it further Resolved, that an humble Address be presented to His Honour, the Lieutenant-Governor, praying that a copy of the Resolution hereinbefore set out, be transmitted to the Hon. the Secretary of State or other proper official at Ottawa.”

(Sgd.) W. H. LANGLEY,  
*Clerk, Legislative Assembly.*

November 24, 1922.

OTTAWA, December 5, 1923.

SIR.—I have the honour by direction to enclose to you, herewith, a copy of a communication dated the 30th ultimo from His Honour the Lieutenant-Governor of British Columbia transmitting a resolution passed by the Legis-

lature of British Columbia on the 27th ultimo with respect to the enfranchisement of Orientals.

The receipt of His Honour's communication has been acknowledged.

(Sgd.) P. PELLETIER,  
*Acting Under-Secretary of State.*

(Encl.)

The Right Honourable the Prime Minister,  
Ottawa.

OTTAWA, December 5, 1923.

SIR,—I have the honour to acknowledge receipt of your dispatch of the 30th ultimo transmitting a certified copy of a resolution passed unanimously by the Legislature of British Columbia on the 27th ultimo, urging the Federal Government to take no steps that would interfere with the undoubted right of the province to prescribe the form and extent of its own franchise, particularly where Orientals are concerned.

This resolution will be communicated to the Prime Minister as requested.

(Sgd.) P. PELLETIER,  
*Acting Under-Secretary of State.*

His Honour the Lieutenant-Governor of British Columbia,  
Victoria, B.C.

The 30th November, 1923,  
AT GOVERNMENT HOUSE,  
Victoria, B.C.

SIR,—I have the honour to transmit to you herewith a certified copy of a Resolution passed unanimously by the Legislature on Tuesday, 27th November, 1923, for transmission to the Right Honourable the Premier of Canada, urging the Federal Government to take no steps that would interfere with the undoubted right of the Province to prescribe the form and extent of its own franchise, particularly where Orientals are concerned.

(Sgd.) W. NICHOL,  
*Lieutenant-Governor.*

The Under-Secretary of State,  
Ottawa.

LEGISLATIVE ASSEMBLY PROVINCE OF BRITISH COLUMBIA,  
VICTORIA, November 28, 1923.

Hon. F. A. PAULINE,  
Speaker, British Columbia Legislative Assembly.

SIR,—The following resolution was passed unanimously, by the British Columbia Legislature, on Tuesday, November 27, 1923:—

“Whereas certain representatives of India, at the Imperial Conference and elsewhere, have been urging that natives of India should be given the vote in Canada:

“And whereas practically the whole Hindu population in Canada is resident in British Columbia:

“And whereas the Indian franchise in India is so extremely limited that if the franchise in British Columbia were extended to those here on the same basis, less than a score would be able to vote:

“And whereas those Hindus now here have never voted in India, and have expressed no desire to have the franchise here:

“And whereas the Premier of Canada, at the Imperial Conference, stated that the matter would be debated in the House of Commons at its next sitting while dealing with the “Franchise Act”; and also expressed himself in the House of Commons as wishing to hear the views of British Columbia:

“And whereas it is desirable that this Legislature should give expression to the wishes of British Columbia on this important subject:

“Therefore be it resolved. That this Legislature is strongly opposed, on economic and social grounds, to allowing any Oriental to vote in this Province, either in Provincial or Dominion elections, and therefore urge the Federal Government to take no steps that would interfere with the undoubtedly right of the Province to prescribe the form and extent of its own franchise, and further urge the Government of Canada, when defining its Dominion franchise, not to enfranchise Orientals.

And be it further resolved. That an humble Address be presented to His Honour the Lieutenant-Governor, praying that he will cause a copy of the Preamble and Resolution hereinbefore set out to be transmitted to the Right Honourable W. L. Mackenzie King, Premier of Canada.”

(Sgd.) W. H. LANGLEY,  
*Clerk, Legislative Assembly.*

The 29th January, 1923,  
AT GOVERNMENT HOUSE,  
VICTORIA, B.C.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 23rd inst. transmitting for the information of my Ministers, a Minute of the Council approved by His Excellency the Governor General setting forth the views of His Excellency's advisers regarding the suggested amendment to the British North America Act with a view to prohibiting Asiatics from acquiring proprietary interest in certain industries.

(Sgd.) W. C. NICHOL,  
*Lieutenant-Governor.*

The Under-Secretary of State,  
Ottawa.

OTTAWA, January 23, 1923.

SIR.—With reference to Mr. Chief Justice Macdonald's dispatch of the 8th December last forwarding a resolution of the British Columbia Legislature respecting the amendment to the British North America Act with a view to prohibiting Asiatics from acquiring proprietary interest in certain industries, I have the honour by direction to transmit, herewith, for Your Ministers' information, a Minute of Council approved by His Excellency the Governor General on the 20th instant, setting forth the views of His Excellency's advisers regarding the suggested amendment.

(Encl.)

(Sgd.) THOMAS MULVEY,  
*Under-Secretary of State.*

His Honour the Lieutenant-Governor of British Columbia,  
Victoria, B.C.

P.C. 18

CERTIFIED COPY of a Report of the Committee of the Privy Council, approved  
by His Excellency the Governor General on the 20th January, 1923.

The Committee of the Privy Council have had before them a Report, dated 27th December, 1922, from the Minister of Justice, submitting that he has had under consideration a dispatch of the Administrator of the Government of British Columbia of 8th December, 1922, transmitting copy of a Resolution of the Legislature of British Columbia whereby it is resolved that Your Excellency's Government be petitioned "to grant its assent and accord its active assistance to the obtaining of an amendment to the 'British North America Act' giving the Province of British Columbia, at present most affected, the power to make laws prohibiting Asiatics from acquiring proprietary interest, in any form whatsoever, in agricultural lands in British Columbia, in the timber lands of British Columbia, in the mineral lands of British Columbia, or in the fishing or other industrial enterprises carried on within the Province of British Columbia, and from obtaining employment in any of the above mentioned industries," and whereby it is further resolved "That the Government of the Dominion of Canada be respectfully requested to grant adherence on the part of Canada to no treaty or binding international obligation in any form whatsoever having the effect of limiting the authority of provincial legislatures, as set out by the terms of this resolution."

The Minister observes that he does not doubt that Your Excellency's Government would be disposed to consider very carefully the representations of the Provinces touching the advisability or expediency of adhering to treaty provisions which affect provincial interests, but the exclusive powers conferred upon the Dominion by the British North America Act, 1867, as affecting the peace, order or good government of Canada with relation to aliens and the performance of the obligations of treaties are fundamental; they affect the Provinces generally and are by the Act of Union deliberately excluded from the enumeration of matters of a merely local or private nature which are committed to provincial authority.

The Minister therefore states that in his opinion it would be incompatible with the compact of union that Your Excellency's Government should at the instance of one of the Provinces promote the amendment which British Col-

umbia desires, and for these and other reasons which suggest themselves he is unable to advise that Your Excellency's Government should acquiesce in the request submitted on behalf of the Province.

The Committee concur in the foregoing and submit the same for Your Excellency's approval.

(Sgd.) RODOLPHE BOUDREAU,  
*Clerk of the Privy Council.*

OTTAWA December 14, 1922.

SIR,—I have the honour to acknowledge receipt of your dispatch of the 8th instant transmitting a copy of a resolution passed by the British Columbia Legislature on the 5th instant petitioning the Government of Canada to take into consideration an amendment to the British North America Act prohibiting Asiatics from acquiring proprietary interest in certain industries in the province, and in reply I am to inform you that the matter will be laid before the Governor General in Council as desired.

(Sgd.) THOMAS MULVEY,  
*Under-Secretary of State.*

The Administrator of the Government of the Province of British Columbia,  
Victoria, B.C.

The 8th December, 1922,  
AT GOVERNMENT HOUSE,  
VICTORIA, B.C.

SIR,—I have the honour to transmit to you, herewith, copy of a Resolution passed unanimously by the British Columbia Legislature on the 5th instant, petitioning the Government of Canada to grant its assent and accord its active assistance to the obtaining of an amendment to the "British North America Act," giving this province the power to make laws prohibiting Asiatics from acquiring proprietary interest in certain industries as set out in the above-mentioned Resolution.

(Sgd.) J. A. MACDONALD,  
*Administrator.*

The Honourable the Secretary of State,  
Ottawa.

Hon. F. A. Pauline,  
Speaker, British Columbia Legislative Assembly.

SIR,—The following resolution was passed unanimously by the British Columbia Legislature, on Tuesday, December 5, 1922:—

"Whereas it is set out under section 132 of the 'British North America Act' that 'The Parliament and Government of Canada shall have all powers, necessary or proper for performing the obligations of Canada or of any province;

thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries.'

" And whereas the treaty-making power of Canada, in dealing with foreign countries, is thus limited to the 'performing of obligations' undertaken by the Imperial Parliament, should Canada, as a self-governing Dominion, consent to become a party to the same;

" And whereas a serious situation has developed in the province of British Columbia because of the rapidly growing numerical and economic power of its Asiatic population;

" And whereas it is imperative for the protection of the citizens of British Columbia that strong measures be adopted, designed to prevent Asiatics from acquiring further rights in this province, the article exercise of which would give them an alarming hold on agriculture, fishing, lumbering, mining and other provincial industrial interests;

" And whereas under section 91, subsection (25) the limitation of provincial legislative authority under the 'British North America Act' precludes provincial legislatures from enacting such legislation as is necessary to effectively deal with the situation defined;

" And whereas it is essential, if the Caucasian population of the province of British Columbia is to be permitted to work out, unfettered, the high ideals of Anglo-Saxon civilization, both in the development of the country's natural resources and in the application of those ideals to proper standards of living;

" Therefore be it resolved, that the Government of the Dominion of Canada be petitioned to grant its assent and accord its active assistance to the obtaining of an amendment to the 'British North America Act,' giving the province of British Columbia, at present most affected, the power to make laws prohibiting Asiatics from acquiring proprietary interest, in any form whatsoever, in agricultural lands in British Columbia, in the timber lands of British Columbia, in the mineral lands of British Columbia, or in the fishing or other industrial enterprises carried on within the province of British Columbia, and from obtaining employment in any of the above-mentioned industries.

" And be it further resolved, that the Government of the Dominion of Canada be respectfully requested to grant adherence on the part of Canada to no treaty or binding international obligation in any form whatsoever having the effect of limiting the authority of provincial legislatures, as set out by the terms of this resolution.

" And be it further resolved, that copies of this resolution be forwarded to the Provincial Secretaries of the various provinces of the Dominion of Canada.

" And be it further resolved, that an humble Address be presented to His Honour the Lieutenant-Governor, praying that a copy of the resolution herein-before set out be transmitted to the Hon. the Secretary of State or other proper official at Ottawa for presentation to His Excellency the Governor General in Council."

(Sgd.) W. H. Langley,  
*Clerk, Legislative Assembly.*

December 6, 1922.

PRIVY COUNCIL, CANADA

OTTAWA, December 29, 1924.

THOMAS MULVEY, Esq., K.C.,  
Under-Secretary of State,  
Ottawa.

DEAR SIR,—I have the honour to acknowledge the receipt of your communication of the 26th instant (2991) enclosing a resolution passed by the Legislature of the province of British Columbia on the subject of Asiatic Immigration into Canada.

(Sgd.) E. J. LEMAIRE,  
*Clerk of the Privy Council.*

OTTAWA, December 26, 1924.

SIR,—I have the honour to forward you, herewith, a resolution passed by the Legislature of the province of British Columbia on the subject of Asiatic Immigration into Canada.

(Sgd.) THOMAS MULVEY,  
*Under-Secretary of State.*

The Clerk of the Privy Council,  
Ottawa.

OTTAWA, December 26, 1924.

SIR,—I have the honour to acknowledge receipt of your dispatch of the 19th instant transmitting a resolution of your Government in reference to the prohibition of Asiatic Immigration into Canada. The same is receiving attention.

(Sgd.) THOMAS MULVEY,  
*Under-Secretary of State.*

His Honour the Lieutenant-Governor of British Columbia,  
Victoria, B.C.

The 19th December, 1924.

AT GOVERNMENT HOUSE,  
VICTORIA, B.C.

SIR,—I have the honour to transmit to you, herewith, a Resolution passed unanimously by the Legislature on Wednesday, the 17th December, 1924, regarding their opposition to the further influx of Orientals into this province and further stating their being in favour of the enactment of such amendment to the "Immigration Act of Canada" as is necessary to completely prohibit Asiatic Immigration into Canada.

(Sgd.) W. NICHOL,  
*Lieutenant-Governor.*

The Honourable the Secretary of State,  
Ottawa.

OFFICE OF THE DEPUTY MINISTER OF IMMIGRATION AND COLONIZATION  
OTTAWA, CANADA, April 10, 1928.

DEAR MR. MULVEY,—In reply to your letter of March 13th I am sending you a copy of the only correspondence appearing in the files of our Department covered by the return ordered by the House of Commons at the request of Mr. McQuarrie with reference to Oriental immigration. The return is restricted to correspondence exchanged since May 8th, 1922, between the Government of the Province of British Columbia and the Federal Government or between any Ministers, Deputy Ministers or other officials of the said Government on this subject.

Yours very truly,

W. J. EGAN.

THOS. MULVEY, Esq.,  
Under-Secretary of State,  
Ottawa.

P.C. 2603

The 8th December, 1922.

AT GOVERNMENT HOUSE,

VICTORIA, B.C.

SIR,—I have the honour to transmit to you, herewith, copy of a Resolution passed unanimously by the British Columbia Legislature on the 5th instant, petitioning the Government of Canada to grant its assent and accord its active assistance to the obtaining of an amendment to the "British North America Act," giving this province the power to make laws prohibiting Asiatics from acquiring proprietary interest in certain industries as set out in the above-mentioned Resolution.

(Sgd.) J. A. MACDONALD,  
*Administrator.*

The Honourable the Secretary of State,  
Ottawa.

Hon. F. A. PAULINE,  
Speaker, British Columbia Legislative Assembly.

SIR,—The following resolution was passed unanimously by the British Columbia Legislature, on Tuesday, December 5, 1922:—

"Whereas it is set out under section 132 of the 'British North America Act' that 'The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any province thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries';

"And whereas the treaty-making power of Canada, in dealing with foreign countries, is thus limited to the 'performing of obligations' undertaken by the Imperial Parliament, should Canada, as a self-governing Dominion, consent to become a party to the same;

"And whereas a serious situation has developed in the province of British Columbia because of the rapidly growing numerical and economic power of its Asiatic population;

"And whereas it is imperative for the protection of the citizens of British Columbia that strong measures be adopted, designed to prevent Asiatics from acquiring further rights in this province, the active exercise of which would give them an alarming hold on agriculture, fishing, lumbering, mining, and other provincial industrial interests;

"And whereas, under section 91, subsection (25), the limitation of provincial legislative authority under the 'British North America Act' precludes provincial legislatures from enacting such legislation as is necessary to effectively deal with the situation defined;

"And whereas it is essential, if the Caucasian population of the province of British Columbia is to be permitted to work out, unfettered, the high ideals of Anglo-Saxon civilization, both in the development of the country's natural resources and in the application of those ideals to proper standards of living;

"Therefore be it resolved, that the Government of the Dominion of Canada be petitioned to grant its assent and accord its active assistance to the obtaining of an amendment to the 'British North America Act' giving the province of British Columbia, at present most affected, the power to make laws prohibiting Asiatics from acquiring proprietary interest, in any form whatsoever, in agricultural lands in British Columbia, in the timber lands of British Columbia, in the Mineral lands of British Columbia, or in the fishing or other industrial enterprises carried on within the province of British Columbia, and from obtaining employment in any of the above-mentioned industries.

"And be it further resolved, that the Government of the Dominion of Canada be respectfully requested to grant adherence on the part of Canada to no treaty or binding international obligation in any form whatsoever having the effect of limiting the authority of provincial legislatures, as set out by the terms of this resolution.

"And be it further resolved, that copies of this resolution be forwarded to the Provincial Secretaries of the various provinces of the Dominion of Canada;

"And be it further resolved, that an humble Address be presented to His Honour, the Lieutenant-Governor, praying that a copy of the resolution hereinbefore set out be transmitted to the Hon. the Secretary of State or other proper official at Ottawa for presentation to His Excellency the Governor General in Council."

(Sgd.) W. H. Langley,

December 6, 1922.

*Clerk, Legislative Assembly.*

DEPARTMENT OF IMMIGRATION AND COLONIZATION

OTTAWA, December 13, 1922.

DEAR SIR,—I have the honour to acknowledge receipt of your letter of the 4th instant, No. 2948, enclosing copy of resolution passed on the 20th ultimo by the British Columbia Legislature calling for an amendment to the Immigration Act with a view to the entire prohibition of all Asiatic immigration. This has been duly noted and will receive attention.

(Sgd.) W. J. BLACK,

P. PELLETIER, Esq.,  
Acting Under-Secretary of State,  
Ottawa.

*Deputy Minister.*

## CORRESPONDENCE, ETC. RELATING TO

## CANADA

DEPARTMENT OF THE SECRETARY OF STATE,  
OTTAWA, December 4, 1922.

SIR,—I have the honour to enclose to you, herewith, a copy of a resolution passed on the 20th ultimo by the British Columbia Legislature with reference to the total prohibition of Asiatic Immigration into Canada with a copy of the Administrator's despatch forwarding same. In acknowledging the communication this Department has stated that the matter would receive due consideration.

(Enc.)

(Sgd.) P. PELLETIER,  
*Acting Under-Secretary of State.*

The Deputy Minister of  
Immigration and Colonization,  
Ottawa.

VICTORIA, B.C., November 28, 1922.

SIR,—I have the honour to forward you, herewith, copy of a Resolution passed unanimously by the British Columbia Legislature on the 20th instant, with reference to the total prohibition of Asiatic Immigration into Canada.

(Sgd.) J. MACDONALD,  
*Administrator.*

The Honourable the Secretary of State,  
Ottawa

Hon. F. A. PAULINE,  
Speaker, British Columbia Legislative Assembly.

DEAR SIR,—The following resolution was passed unanimously by the British Columbia Legislature on Monday, November 20, 1922:—

“Whereas the ‘Immigration Act’ of Canada and regulations thereunder have failed to stem the tide of Asiatic Immigration into Canada;

“And whereas the industrial and economic life of Canada, and particularly of the Province of British Columbia, is threatened by competition forced by a growing foreign population with a lower standard of living than that necessary for the well-being of Anglo-Saxon civilization;

“And whereas there is a strong and compelling sentiment developing in Canada, especially marked in the Province of British Columbia, at present most affected, that effective protective measures must be adopted;

“Therefore be it resolved, that this Legislative Assembly places itself on record as being in favour of the enactment of such amendment to the ‘Immigration Act’ of Canada, as is necessary to completely prohibit Asiatic Immigration into Canada.

“And be it further resolved, that an humble Address be presented to His Honour the Lieutenant-Governor, praying that a copy of the resolution hereinbefore set out, be transmitted to the Hon. the Secretary of State or other proper official at Ottawa.”

(Sgd.) W. H. LANGLEY,  
*Clerk, Legislative Assembly.*

Nov. 24, 1922.

## PRIVY COUNCIL, CANADA

OTTAWA, March 12, 1925.

Dear Mr. EGAN,—I am forwarding you, herewith, copy of P.C. 2228 of 1924 (Resolution passed by the British Columbia Legislature on the 17th December, 1924) on the subject of Asiatic Immigration into Canada. Copy of this document was forwarded your Minister on the 8th January, 1925.

(Sgd.) E. J. LEMAIRES,

*Clerk of the Privy Council.*

W. J. EGAN, Esq.,  
Deputy Minister of Immigration and Colonization,  
Ottawa.

## PRIVY COUNCIL, CANADA

LEGISLATIVE ASSEMBLY, PROVINCE OF BRITISH COLUMBIA,  
VICTORIA, December 18, 1924.

SIR,—The following resolution was passed unanimously by the British Columbia Legislature on Wednesday, December 17, 1924:—

“Whereas there were in British Columbia according to the last Dominion census, 23,532 Chinese and 15,006 Japanese;

“And whereas statistics show that there is a very large natural increase of Orientals in British Columbia, multiplying each succeeding year to an alarming extent;

“And whereas the standard of living of the average Oriental is far below that of the white man, thus enabling him to live comfortably on a much lower wage than our white men;

“And whereas the Orientals have invaded many fields of industrial and commercial activities to the serious detriment of our white citizens;

“And whereas considerable unemployment always exists in British Columbia, partly due to the fact that large numbers of Orientals are filling situations in our industrial and commercial life which could be better filled by our white citizens;

“And whereas the Orientals are fast invading the commercial areas of many municipalities and districts of British Columbia, carrying on commercial and industrial pursuits;

“And whereas many of our white merchants are being forced out of business by such commercial and industrial invasion;

“Therefore be it resolved, that this House go on record as being utterly opposed to the further influx of Orientals into this province; and, further, that this House places itself on record as being in favour of the enactment of such amendment to the ‘Immigration Act of Canada’ as is necessary to completely prohibit Asiatic immigration into Canada.

“Be it further resolved, that this House is also of the opinion that the field of industrial and commercial activities of all Orientals now in Canada and particularly British Columbia should be restricted by legislation.

“Be it further resolved, that the Government of the Dominion of Canada be respectfully requested to grant adherence on the part of Canada to no treaty or binding international obligation in any form whatsoever having the effect of limiting the authority or power of Provincial Legislatures in respect of the

regulation of social and industrial activities within the provinces; and, further, that the Government of the Dominion of Canada be respectfully requested to forthwith take the action necessary to bring about the denunciation of any and all treaties insofar as the terms and provisions of the same have the effect of depriving the Dominion of Canada of the power of regulation, control, and prohibition of Asiatic immigration.

"And be it further resolved, that an humble address be presented to His Honour the Lieutenant-Governor, praying that he cause a copy of this resolution to be transmitted to the Hon. the Secretary of State or other proper official at Ottawa for presentation to His Excellency the Governor-General in Council."

(Sgd.) W. H. Langley,

Clerk, Legislative Assembly.

Hon. J. A. BUCKHAM,  
Speaker, Legislative Assembly of British Columbia.



